

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Epixtar
Communications Corp. for Registration as an
Interexchange Carrier Telephone Corporation
Pursuant to the Provisions of Public Utilities
Code Section 1013.

Application 03-01-016
(Filed January 14, 2003)

ASSIGNED COMMISSIONER'S RULING AND SCOPING MEMO

Based on a prehearing conference held September 9, 2003, and pursuant to Public Utilities Code Section 1701.1(b), a scoping memo shall be issued in this proceeding.

Therefore, **IT IS RULED** that:

1. This application involves the applicant's request for a certificate of public convenience and necessity to resell interexchange services.
2. The Assigned Commissioner is Michael R. Peevey.
3. The assigned Administrative Law Judge, Jeffrey P. O'Donnell, is the principal hearing officer.
4. The category is ratesetting.
5. Hearings are needed.
6. The issues are:
 - Whether the applicant satisfies the applicable financial and technical requirements.
 - Whether the applicant is fit to provide telecommunications services in California.

- Whether the applicant violated Rule 1, of the Commission's Rules of Practice and Procedure, in its application.

7. The schedule is:

- | | |
|----------------------------------|---------------------|
| • CPSPD's testimony | September 22, 2003 |
| • Applicant's rebuttal testimony | October 14, 2003 |
| • Hearings | October 27-29, 2003 |
| • Opening briefs | November 28, 2003 |
| • Reply briefs | December 12, 2003 |
| • Submission date | December 12, 2003 |
| • Final Commission Decision | May 10, 2004 |

8. The schedule is subject to change. This matter is expected to conclude by May 10, 2004, but in no event later than 18 months from the date of filing.

9. Rule 7 of the Commission's Rules of Practice and Procedure governs ex parte contacts in this proceeding.

Dated September 12, 2003, at San Francisco, California.

/s/ MICHAEL R. PEEVEY

Michael R. Peevey
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Ruling and Scoping Memo on all parties of record in this proceeding or their attorneys of record.

Dated September 12, 2003, at San Francisco, California.

/s/ ELIZABETH LEWIS

Elizabeth Lewis

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.